

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CRAIG FRENTZEL,)	
)	
Plaintiff,)	
)	
v.)	No. 4:06-CV-214-JCH
)	
JIM MOORE, et al.,)	
)	
Defendants.)	

ORDER AND MEMORANDUM

This matter is before the Court upon review of plaintiff's "Motion to Amend Court's Previous Order" [Doc. #8], "Motion for Joinder of Addition[al] Parties" [Doc. #9], and "Motion for Joinder" [Doc. #10]. Plaintiff seeks to assert additional claims against Jim Moore, a party-defendant who was dismissed without prejudice on March 10, 2006, as well as James Carter, Cheryl McMillen, and "Outcount Correctional Officer (John Doe) at ERDCC."

Taking into consideration the fact that plaintiff is proceeding pro se and in forma pauperis, the Court will deny the three aforementioned motions, without prejudice, and grant him thirty (30) days in which to file an amended complaint, as set forth below.

In accordance with the foregoing,

IT IS HEREBY ORDERED that plaintiff's "Motion to Amend Court's Previous Order" [Doc. #8], "Motion for Joinder of

Addition[al] Parties" [Doc. #9], and "Motion for Joinder" [Doc. #10] are **DENIED**, without prejudice.

IT IS FURTHER ORDERED that plaintiff shall file an amended complaint within thirty (30) days from the date of this Order.¹ In the amended complaint, plaintiff shall complete in its entirety the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983. Specifically, in the "Caption" of the form complaint, plaintiff shall set forth the name of each defendant he wishes to sue in this action; and in the "Statement of Claim," he shall set forth as to each named defendant the specific factual allegations supporting his claim against the particular defendant, as well as the specific rights that he claims the defendant violated.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff, in addition to a copy of this Order and Memorandum, the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983.

IT IS FURTHER ORDERED that plaintiff's failure to amend his complaint in accordance with this Court's instructions will result in the dismissal of this action, without prejudice.

¹For his amended complaint, plaintiff shall use the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983. The Court will instruct the Clerk to send plaintiff the court form for filing a § 1983 action.

IT IS FURTHER ORDERED that, because the Court is granting plaintiff the opportunity to file an amended complaint, the following motions are hereby **DENIED**, without prejudice: plaintiff's motion for leave to submit exhibits [Doc. #11], plaintiff's motion for discovery [Doc. #12], and defendant Anasseril Daniel's motion to dismiss [Doc. #19].

IT IS FURTHER ORDERED that upon the filing of the amended complaint, the Clerk shall resubmit this action to the Court for review pursuant to 28 U.S.C. § 1915(e). Plaintiff is advised that the Court will consider only the amended complaint when reviewing this action under § 1915(e). As such, plaintiff is reminded to include in the amended complaint the name of each defendant he wishes to sue in this action; and in the "Statement of Claim," he shall set forth as to each named defendant the specific factual allegations supporting his claim against the particular defendant, as well as the specific rights that he claims the defendant violated.

Dated this 26th day of June, 2006

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE

